IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION No: 23533 of 2004

Between:

Duddukuru Satyender Kumar, S/o Anjaneyulu,
R/o H.No. 12-11-226, Warasiguda, Secunderabad-500061.

..... PETITIONER

AND

1 The Commissioner of Police, Hyderabad District.
2 The Deputy Commissioner of Police, Central Crime Station, Hyderabad.
3 The Station House Officer, Warasiguda Police Station, Secunderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the respondents in making attempts to apprehend the petitioner without there being any complaint or crime registered against him only basing on the news item published on 19-11-2004 in Vaartha Telugu Newspaper as illegal, arbitrary, unconstitutional and violative of Articles 19 and 21 of the Constitution of India and consequently direct the respondents herein not to take any coercive steps against the petitioner.

Counsel for the Petitioner: MR.PALLENAGESWAR RAO

Counsel for the Respondents: GP FOR HOME

The Court made the following:

ORDER:

The petitioner apprehends that the respondents would arrest him on the basis of a news item published on 19.11.2004 without registering any case and seeks appropriate directions.

Heard learned counsel for the petitioner and learned Government Pleader for Home.

A news items was published on 19.11.2004 to the effect that the police is in search of the petitioner. According to the petitioner, he has nothing to do with the subject matter referred to therein. Be that as it may, mere publication of a news item cannot constitute the basis for any action against the petitioner. If the petitioner is accused of committing any crimes, the respondents have to undertake necessary investigation strictly in accordance with the relevant provisions of law and after registering a case.

Hence, the writ petition is disposed of directing that any action against the petitioner shall be strictly in accordance with the provisions of law and not otherwise. There shall be no order as to costs.

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27.12.2004

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To

1 The Commissioner of Police, Hyderabad District.
2 The Deputy Commissioner of Police, Central Crime Station, Hyderabad.
3 The Station House Officer, Warasiguda Police Station, Secunderabad.

4 2 CCs to the G.P. for Home, High Court of A.P., Hyderabad (OUT).

5 2 CD copies.